

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

FRANCES SPURLOCK AND JEFFREY)	
SPURLOCK, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:09-CV-00756
)	
DAVID FOX, <u>et al.</u> ,)	Judge Wiseman
)	
Defendants.)	

AFFIDAVIT OF DR. JESSE REGISTER

Jesse Register hereby swears and affirms under the penalties of perjury the following:

1. I am over the age of 18 and have direct knowledge of the matters stated herein.
2. I am the current Director of Metropolitan Nashville Public Schools ("MNPS").
3. On February 23, 2009, I was notified by letter that the U.S. Department of Education's Office of Civil Rights ("OCR") received a complaint against MNPS regarding the district's rezoning plan that was adopted in 2008 and took effect for the 2009-10 academic year. We filed a response with OCR and have not heard anything from OCR regarding the response.
4. Attached as Exhibit A is a true and correct copy of the district rezoning plan that was adopted in July of 2008. The plan was submitted as part of my office's response to the OCR complaint.
5. The district rezoning plan that was adopted in July of 2008 has been implemented for the 2009-10 school year.
6. To enjoin the district rezoning plan would create a tremendous burden on the Metro school system and would substantially disturb students' learning. The school year is well underway, and to require a rezoning of the entire district at this point in the school year would require students across the district to be pulled from their schools and relocated to other schools.

FURTHER, AFFIANT SAITH NOT.

Jesse Register¹

Sworn to and subscribed to before me, a Notary Public, this ____ day of _____ 2009.

NOTARY PUBLIC

My Commission Expires:

¹ Due to the emergency nature of this proceeding and the time constraints related to filing documents prior to the scheduled hearing, Dr. Register was unable to physically sign the affidavit prior to filing. He has, however, reviewed and approved its contents and submitted the attached documents to counsel. An executed copy of this affidavit will be filed and substituted as soon as possible and in any event no later than following the conclusion of the hearing, which Dr. Register will be attending.

THE DEPARTMENT OF LAW OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
Sue B. Cain, #9380, Director of Law

s/Keli J. Oliver

James L. Charles, # 9007

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Certificate Of Service

I hereby certify that a copy of the foregoing has been sent via the CM/ECF electronic filing system, on this 1st day of September, 2009 to:

Larry D. Woods
Allen N. Woods II
707 18th Avenue South, Ste. 9
P.O. Box 128498
Nashville, TN 37212

s/ Keli J. Oliver

Keli J. Oliver